

**NEW HAMPSHIRE EXECUTIVE BRANCH
ETHICS COMMITTEE**

**OFFICE OF THE ATTORNEY GENERAL
ROOM 133**

**August 13, 2008
8:00 AM**

Meeting called to order by Chairwoman Deborah Schachter.

Present: Deborah Schachter, Patricia Quigley, Karol LaCroix, Dale Kuehne, John Blair, Alan Johnson

Absent: One vacant position

Also Present: Deputy Attorney General Bud Fitch
Richard Nusbaum, Attorney - administrative rules consultant

- The minutes of the July 9, 2008 meeting were approved.
- **Proposed Administrative Rules**

The committee and Richard Nusbaum discussed the first two chapters of the draft rules. Mr. Nusbaum informed the committee of certain “rules virtues” that all administrative rules follow. The committee discussed and reviewed definitions, private interest, organization of the committee, meeting dates and times, quorum, committee votes, advisory opinions, guidelines, interpretive rulings and degrees of kinship. Mr. Nusbaum will further revise the rules and present the committee with a draft at the next meeting.

- **Complaints regarding Florida entity and lawyer**

The committee reviewed and discussed the draft letter summarily discharging the complaints and some minor revisions were made to the letter. Deborah Schachter signed it on behalf of the committee.

- The following Draft Advisory Opinion was considered:

Advisory Opinion 2008-0XX

May members of a board vote on targeting of funds if their employer organization has submitted a request for proposal, but was not awarded the contract?

May members of a board vote on targeting of funds if the organization that appointed the board member has submitted a request for proposal, but the board member is not employed by the appointing organization?

The committee discussed the issues regarding conflict of interest and recusal and determined that more information is needed. Bud Fitch will contact the petitioner to invite him to the next meeting. Mr. Fitch will determine the petitioner's availability and the expediency with which the committee must make a decision in relation to the board's timeline.

- The next meeting is to be determined.

Meeting adjourned at 10:17 a.m.

Respectfully Submitted

Kara-Lee Bean

Kara-Lee Bean
Recording Secretary